



City of Cambridge

Agenda Item No. 5

IN CITY COUNCIL

June 15, 1998

ORDERED: That the City Council go on record adopting the establishment of the
Avon Hill Neighborhood Conservation District as outlined below:
Avon Hill Neighborhood Conservation District

I. Preamble and Purpose

The Avon Hill neighborhood is characterized by 19th and early 20th century residences of significant architectural quality sited in a cohesive pedestrian-oriented neighborhood of pleasant streetscapes with little automobile traffic, abundant mature trees and plantings, and vistas through to surrounding properties. The Avon Hill neighborhood contains National Register-listed properties of city-wide significance and is marked by the diversity of its turn-of-the-century architectural design and by the evolution of that architecture as subsequent owners have updated properties. The generous size of the neighborhood's lots and buildings contains substantial scope for subdivision, new construction, and additions which could alter or diminish the qualities and characteristics that render the neighborhood an attractive and desirable place in which to live. It is therefore recommended that an Avon Hill Neighborhood Conservation District be established for the following purposes.

The purpose of the Avon Hill Neighborhood Conservation District (the "District") is to preserve, conserve and protect the beauty and heritage of the District's architecture and landscape, to improve the quality of its environment, to establish a process for accommodating changes to properties in the District, to ensure that additions and alterations to properties are compatible with the character of the District, to offer a forum for neighborhood dialogue about changes to properties in the District, to provide technical assistance to District property owners on issues of conservation and preservation, to foster wider public appreciation of the District, and to promote the public welfare by making the District a more attractive and desirable place in which to live.

II. Definitions

"Total Lot Coverage" means the combined total square footage of the footprints of all structures standing on the premises, including buildings, accessory buildings, such as garages, and structures, such as covered porches and decks over 2.5' above grade, whether or not those structures constitute floor area as it is defined in the zoning ordinance then in effect.

"Green Space" means the portion of the premises which is not covered by structures, including buildings, accessory buildings, such as garages, and structures, such

as covered porches and decks over 2.5' above grade, whether or not that portion constitutes usable open space as it is defined in the zoning ordinance then in effect. For the purposes of this order, "green space" includes walks, driveways, and sidewalks.

III. Membership

Pursuant to Paragraph A, Section 2.78.160 of Article III of the Chapter, the Avon Hill Neighborhood Conservation District Commission shall consist of five members and three alternates appointed by the City Manager and shall have qualifications as defined in paragraph A., with the additional recommendation that one member or alternate of the Commission shall have expertise in architecture or architectural history and one member or alternate of the Commission shall have expertise in landscape architecture.

IV. Review Authority

The authority of the Commission shall extend to the review of all construction, demolition, or alteration of exterior architectural features, other than color, within the District.

V. Determinations of the Commission

A. Binding Determinations

The determinations of the Commission shall be binding with regard to applications:

- to construct a new building, as defined in the zoning ordinance then in effect;
- to construct an accessory building, as defined in the zoning ordinance then in effect;
- to construct a parking lot as a principal use;
- to construct an addition to an existing structure that would increase its gross floor area by more than 750 square feet in the A-2 zone or more than 500 square feet in the B and C-1 zones;
- to construct an addition to an existing structure that would increase the total lot coverage on the property to 30% or more in the A-2 zone or to 40% or more in the B and C-1 zones;
- to demolish an existing structure not originally used to garage automobiles and if a demolition permit is required;
- to alter the exterior architectural features of a building listed on or determined eligible for listing on the National Register of Historic Places;
- to alter the exterior architectural features of a structure that requires a variance or special permit under the zoning ordinance then in effect; or
- to alter the exterior architectural features of a publicly-owned structure or of a structure containing a use established or continued by variance or special permit, or proposed to contain or continue a use that would require a variance or special permit under the zoning ordinance then in effect.

Any binding determination may contain conditions as the Commission finds to be necessary to fulfill the terms of Section VI of this order. Such conditions may impose

dimensional and setback requirements in addition to those required by applicable provision of the zoning ordinance. In imposing binding conditions on the issuance of a certificate, or in denying a certificate, a concurring vote of at least four (4) of the members of the Commission shall be required. All determinations that impose conditions on an applicant shall be in written form stating the findings of fact and the standards upon which the conditions were found to be necessary.

B. Non-binding Determinations

In all other cases than those listed in Section V, A. or C. of this order, the determinations of the Commission shall be advisory only and not binding on the applicant.

C. Exemptions

The authority of the Commission shall not extend to the following categories of structures or exterior architectural features and such structures or features may be constructed or altered without review by the Commission.

1. The alteration of exterior architectural features on the premises of a property in the District in a manner that does not increase or diminish the existing building envelope and that does not require the removal, enclosure, or addition of any cornice, fascia, soffit, bay, porch, hood, cornerboard, window sash, window or door casing, or any other decorative element, including historic shingled siding, wood or copper gutters and downspouts, and copper, slate or wood shingle roofing, and that does not alter the shape of a roof.
2. The construction of terraces, walks, driveways, sidewalks, and similar structures that do not involve a change in grade level and that are not to be used for parking between the principal front wall plane of a building, or principal front and side wall planes of a building that occupies a corner property, and the street.
3. The construction of walls and fences less than four feet high as measured from the sidewalk or existing immediately adjacent grade and located between the principal front wall plane of a building, or the principal front and side walls of a building that occupies a corner property, and the street. Walls and fences less than six feet high elsewhere on a property shall not be subject to review.
4. Signs, temporary structures, lawn statuary, or recreational equipment, subject to such conditions as to duration of use, dimension, location, lighting, removal and similar matters as the Commission may reasonably specify.
5. Storm doors and windows, screens, and window air conditioners.

VI. Statement of Principles, Standards, and Guidelines for Review

The Commission shall apply certain principles, standards, and guidelines for review in addition to those contained in Article 2.78.220 A. and B. in considering applications for certificates of appropriateness, non-applicability, or hardship.

A. Principles of Review:

The Commission recognizes the capacity of certain properties in the District for additional development under applicable provision of the zoning code and affirms its consideration of proposed additions and alteration to such properties consistent with the terms of this order. The Commission seeks to achieve consensus determinations based on the available historical record, recommendations from members, alternates and staff, and comments from applicants and abutters and consistent with the terms of this order. The Commission affirms its role as a technical advisor to applicants on issues of conservation and preservation.

B. General Conservation Standards:

All applications shall be considered in terms of the impact of the proposed new construction or alteration, relocation or demolition of an existing building on the District as a whole, and in addition with regard to the potential adverse effects of the proposed construction, alteration, relocation, or demolition on the surrounding properties and on the immediate streetscape. General conservation standards shall be to:

1. Conserve the historic development patterns of the neighborhood, including its green space, open vistas, generous setbacks, and predominately low density lot coverage;
2. Enhance the pedestrian's visual enjoyment of the neighborhood's buildings, landscapes, and structures;
3. Protect structures listed on or determined eligible for listing on the National Register of Historic Places;
4. Encourage the preservation of the neighborhood's buildings, landscapes, and structures;
5. Maintain the diversity of the neighborhood's architectural styles.

C. Conservation Guidelines for Avon Hill:

The following guidelines establish the conservation principles to be encouraged within any given application.

1. Infill Construction and Additions: In the A-2 zone, infill construction (including accessory buildings) and additions should not cause total lot coverage to exceed 30%; in the B and C-1 zones, infill construction and additions should not cause total lot coverage to exceed 40%. In addition to considering streetscape impacts of infill construction and additions, vistas into and through the site from surrounding public ways should be conserved. Impacts on significant landscape features and mature plantings should be minimized. Additions should be compatible with the architectural character of the principal building and its

surroundings, should be sited away from principal elevations, and should respect the cornice height of the original building.

2. Parking: Where parking between the principal front wall plane of a building and the street is proposed, curb cuts and the square footage of paved area devoted to parking should be minimized. Paving in permeable materials is encouraged. Low fencing, low walls, and plant materials to screen parking areas are encouraged.

3. Fences: Fences should be low and transparent to conserve vistas into and through properties and to enable the pedestrian's visual access to the character of the district. The desire for enclosing private spaces should be balanced against the historically-open character of vistas in the district. Fences needed for privacy should enclose the minimum area necessary to achieve their intent and should leave a portion of the premises open to view from the public way. Where safe and appropriate, privacy fences should be set back behind a planting bed to avoid creating a vertical plane directly on the public way.

D. Construction of a New Building, including Accessory Buildings: Review of the design of a proposed new building, accessory building, or relocated building shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the project shall be among those considered:

1. site layout;
2. volume and dimensions of the building;
3. the scale of the building in relation to its surroundings;
4. provisions for open space and landscaping;
5. provisions for parking.

E. Demolition or Relocation of an Existing Building: The Commission shall apply the provisions of Article II of Chapter 2.78 with regard to the proposed demolition of an existing building, and in addition shall consider the following factors:

1. the architectural and historical significance of the building to be demolished, recognizing the eligibility or listing of the building on the National Register of Historic Places;
2. the physical condition of the building;
3. a claim of substantial hardship, financial or otherwise; and
4. the design of the proposed replacement structure, if any.

F. Alterations to Existing Buildings: Review of proposed alterations to an existing building, and of all features not exempted from review under Section V above, shall be made with regard to the following factors:

1. the architectural and historical significance of the building to be altered;
2. the extent to which the integrity of the original design has been retained or previously diminished; and
3. the potential adverse effect of the proposed alteration on the existing structure, surrounding properties, and the District as a whole.

VII. Coordination with Other Agencies and Boards

The Avon Hill Neighborhood Conservation District Commission, Board of Zoning Appeals, Inspectional Services Department, and other City boards, agencies, and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

VIII. Procedure

In addition to the provisions of Section 2.78.220 and 2.78.230 of Article III of Chapter 2.78, the Commission shall observe the following procedural requirements:

A. For any non-binding reviews conducted by the Commission, the Commission, or the standing committee or subcommittee designated by the Commission for the purpose of conducting non-binding reviews, shall review the application at a public meeting, notice of which shall be given not less than seven days prior to the meeting by publicly posting such notice in the office of the City Clerk and by requiring the applicant to post on the premises that are the subject of the meeting, notice(s) of any meeting upon the application, in the manner provided below.

Applicants shall be required to place one or more public notification panels on the premises that are the subject of the meeting. The panels shall be posted not less than seven days prior to the meeting and shall be maintained in public view and legible condition until the Commission's decision is filed with the City Clerk. The panels shall be secured by the applicant from the Cambridge Historical Commission and shall be located as indicated on a plan provided by the Historical Commission. Panels shall be securely mounted on the subject premises at the street line or within the property, but not more than 20 feet from the street line, so as to be legible to persons passing on the public street without the necessity of trespass onto private property. Stolen, destroyed, or illegible panels shall be promptly replaced and panels shall be promptly removed after the filing of the Commission's decision.

The text of the panel shall identify the street address of the application; the date, time, and place of the public meeting; the nature of the action requested; the place where the application may be inspected; the application case number; and the address and phone number of the Historical Commission, where further information may be obtained. Panels shall be not less than 18 inches by 24 inches in dimension, with text no smaller than 12 point type. Panels shall be made of materials adequately weather resistant and sufficiently durable to be maintained for the required period of notice.

When taking action under the non-binding provisions of Section III of this order, the Commission or its designee shall make its determinations within fourteen days after the filing of a complete application for a certificate of appropriateness, non-applicability or hardship, or such further time as the applicant may in writing allow.

B. When taking action under the binding provisions of Section V of this order and Sections 2.78.190, 2.78.200, 2.78.210, and 2.78.220 of Article III of Chapter 2.78, the Commission shall make its determinations within forty-five days after the filing of a complete application for a certificate of appropriateness, non-applicability, or hardship, or such further time as the applicant may in writing allow.

C. In addition to any appeal allowed pursuant to Section 2.78.240 of Article III of Chapter 2.78, the Commission may agree to the appointment of an arbitrator acceptable to both the Commission and the applicant who would make recommendations to both parties where disagreement between the Commission and the applicant persists.

D. Four members shall constitute a quorum of the Commission.

IX. Appeals

Pursuant to Section 2.78.240 of Article III of Chapter 2.78, any person aggrieved by a determination of the Commission may appeal to the Cambridge Historical Commission within twenty (20) days after the filing of such determination with the City Clerk.

X. Ordinary Maintenance

Pursuant to Section 2.78.200 of Article III of Chapter 2.78, nothing in this order shall be construed to prevent the ordinary maintenance, repair, or replacement of any exterior architectural feature of the District which does not involve a change in design or materials or the outward appearance thereof.

XI. Reports to City Council

The Avon Hill Neighborhood Conservation District Commission, the Historical Commission and the Planning Board shall submit a report, not later than the third anniversary of the date of this order, to the City Manager and City Council summarizing the activities of the Commission during the two years following the date of the order. In preparing this report, the Commission shall hold a public hearing to determine the opinion of neighborhood residents. The report shall also submit any recommendation which any of the signatories thereto may have with respect to amending the powers, responsibilities and/or procedures of the Commission or of any other city board, commission or agency with respect to the Avon Hill Neighborhood Conservation District.

In City Council June 15, 1998.

Adopted by a ye and nay vote:-

Yeas 7; Nays 1; Absent 1.

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST: D. Margaret Drury, City Clerk.

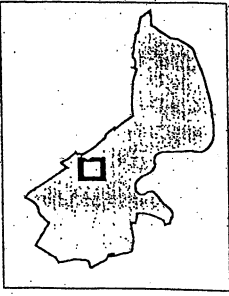
AUG 17 1998

TRUE COPY
TEST:

D. Margaret Drury
City Clerk

D. Margaret Drury

Project Area



Legend

- Avon Hill district
- Building Footprint
- Major Roads
- Parcel Line

Cambridge Historical Commission

Cambridge GIS

831 Mass. Ave.
Cambridge, MA



300 0 300 Feet

Scale 1:3600

Avon Hill Neighborhood Conservation District

Cambridge, Massachusetts

Adopted as per order of the
Cambridge City Council
June 15, 1998